

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Bedsworth, Acting P.J., Aronson, J., and Ikola, J. O. Duarte, Deputy Clerk attending.

CIVIL PALL CORPORATION
No. v.
G032740 ORANGE COUNTY WATER
 DISTRICT, et al.

Merits. Cause called. David C. Romyn argued for appellant. Joseph W. Forbath argued for respondents. Cause submitted.

CIVIL TICOMP, INC., et al.
No. v.
G032651 GENERAL ELECTRIC
 CAPITAL CORPORATION

Merits. Cause called. Kenneth D. Sisco argued for appellants and cross-respondents. Dennis D. Miller argued for respondent and cross-appellant. Cause submitted.

CIVIL SASCHA NEUBAUER
No. v.
G032942 CIRCUIT CITY STORES, INC.

Merits. Cause called. A. Clifton Hodges argued for appellant. Steven C. Shonack argued for respondent. Cause submitted.

CIVIL GEOFFREY R. LE PLASTRIER
No. v.
G033346 STEFANIE MASTERS et al.

Merits. Cause called. Marjorie G. Fuller argued for appellants. David A. Robinson argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2004 (Cont'd)**

CIVIL CLK, INC., et al.
No. v.
G033048 AMERICAN COMMERCIAL
 CAPITAL et al.

Merits. Cause called. Al Mohajerian argued appellants. Steve Winick argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2004 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. O. Duarte, Deputy Clerk attending.

CIVIL	ORANGE COUNTY SOCIAL
No.	SERVICES AGENCY
G033630	v.
	VALERIE S.

Merits. Cause called. Richard Pfeiffer argued for appellant. Beth L. Lewis argued for respondent. Cause submitted.

CIVIL	CITY OF LA HABRA
No.	v.
G032814	BILL B. GAMMOH et al.

Merits. Cause called. Stuart M. Miller argued for appellants. Deborah J. Fox argued for respondent. Cause submitted.

CIVIL	ELSA E. SHUSTER, et al.
No.	v.
G032163	CALIFORNIA AUTO DEALERS
	EXCHANGE INC., et al.

Merits. Cause called. James M. Trush argued for appellants. Julie L. Woods argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2004 (Cont'd)**

CIVIL
No.
G033481

COUNTY OF ORANGE
v.
SCOTTY A. COCHRAN

Not for publication

Opinion filed. Order reversed.

Moore, J.

We concur: Bedsworth, Acting P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Aronson, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CIVIL GENE MORAN
No. v.
G033102 MURTAUGH MILLER MEYER
 & NELSON et al.

Merits. Cause called. Arik Shafir argued for appellant. Kevin V. DeSantis argued for respondents. Cause submitted.

CIVIL ROBERT KLOSTREICH
No. v.
G032842 TOM FOX et al.

Merits. Cause called. F. Edie Mermelstein, certified law student argued for appellant. Gregory A. Patton, supervising attorney present for appellant. Daniel F. Fears argued for respondents. Cause submitted.

CIVIL HELEN A. CARTER
No. v.
G031724 CB RICHARD ELLIS SERVICES, INC. et al.

Merits. Cause called. Robert W. Peyton argued for appellants and cross-respondents. John A. Girardi argued for respondent and cross-appellant. Cause submitted.

CIVIL JACK R. FINNEGAN
No. v.
G032847 RICHARD DeFRANCISCO et al.

Merits. Cause called. Appellant Jack R. Finnegan argued on his own behalf. James H. Hansen argued for respondents. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2004 (Cont'd)**

CIVIL JACK R. FINNEGAN
No. v.
G033230 RICHARD DeFRANCISCO et al.

Merits. Cause called. Appellant Jack R. Finnegan argued on his own behalf.
James H. Hansen argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2004 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Bedsworth, Acting P.J., Moore, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CIVIL CHARLES A. CHENES
No. v.
G032254 STEVEN ARMENTROUT

Merits. Cause called. Gail E. Chesney argued for appellant. William B. Hanley argued for respondent. Cause submitted.

CIVIL MICHAEL N. KALASHIAN et al.
No. v.
G032254 RONALD C. KREBS et al.

Merits. Cause called. Sylvia L. Paoli argued for appellants and cross-respondents. Jim P. Mahacek argued for respondents and cross-appellants. Cause submitted.

CIVIL STEVEN C. LOEHR
No. v.
G032751 COUNTY OF ORANGE

Merits. Cause called. Appellant Steven C. Loehr argued on his own behalf. Respondent waived her appearance for oral argument and submitted on the brief. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2004 (Cont'd)**

CIVIL No. G031780	DAVID W. DOWNEN v. JOHN WAYNE DOWNEN	Not for publication
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Opinion filed. Judgment affirmed.

Moore, J.

We concur: Sills, P.J.
Fybel, J.

CRIM No. G032854	THE PEOPLE v. GUSTAVO GABRIEL RIVERA	Not for publication
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Opinion filed. Judgment affirmed.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

CIVIL No. G033439	MARK ROMEO v. KATZIR'S FLOOR AND HOME DESIGN, INC. et al.	Not for publication
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Opinion filed. Postjudgment order affirmed.

Fybel, J.

We concur: Sills, P.J.
Moore, J.

CIVIL No. G033787	ORANGE COUNTY SOCIAL SERVICES AGENCY v. STEPHEN F. et al.	Not for publication
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Opinion filed. Judgment affirmed.

O'Leary, J.

We concur: Sills, P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2004 (Cont'd)**

CIVIL	JOANN SILLIMAN et al.
No.	v.
G034484	RICHARD VIRISSIMO et al.
G034494	

Order filed. On the court's own motion and for good cause, case number G034484 is consolidated with case number G034494 for all purposes.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2004**

CRIM THE PEOPLE
No. v.
G031791 JEFFREY WAYNE MINOR
G031792

Order filed. The petition for rehearing is granted.

Sills, P.J.

I concur: Rylaarsdam, J.
I deny: O'Leary, J.

CIVIL HELEN RAMIREZ
No. v.
G032232 BED, BATH & BEYOND, INC. et al.

Not for publication

Opinion filed. Judgment reversed.

Sills, P.J.

We concur: Aronson, J.
 Ikola, J.

CRIM THE PEOPLE
No. v.
G032592 CHARLES LINWOOD CHERRY

Not for publication

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.
 Aronson, J.

CIVIL STATE COMPENSATION INSURANCE FUND
No. v.
G032985 D.F. INDUSTRIES et al.

Not for publication

Opinion filed. Judgment affirmed.

Fybel, J.

We concur: O'Leary, Acting P.J.
 Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2004 (Cont'd)**

CIVIL No. G033033	FRED AGAH v. MOSTAFA ALIAKBARZADEH et al.	Not for publication
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Opinion filed. Judgment affirmed.

O'Leary, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL No. G033380	JACOB MELTZER v. MAXSYS TECHNOLOGIES CORPORATION et al.	Not for publication
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Opinion filed. Judgment reversed.

Fybel, J.

We concur: O'Leary, Acting P.J.
Moore, J.

CIVIL No. G033398	LYNN KNEVELBAARD v. PUBLIC STORAGE, INC.	Not for publication
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Opinion filed. Judgment affirmed.

Moore, J.

We concur: O'Leary, Acting P.J.
Fybel, J.

CRIM No. G033460	THE PEOPLE v. DONAL RICHARD HUGHES	Not for publication
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Opinion filed. Judgment affirmed and remanded.

Rylaarsdam, Acting P.J.

We concur: Moore, J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2004 (Cont'd)**

CIVIL
No.
G034039
G034393

CLIFFORD ADOPTANTE
v.
MICHAEL J. RUSSELL et al.

Not for publication

Order filed. Appellants have filed a motion to consolidate case number G034039 with case number G034393. The motion is granted. Case number G034039 is consolidated with case number G034393 for all purposes. Appellants' opening brief in the consolidated cases is due 30 days after the filing of record in case number G034393.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 30, 2004**

CIVIL	LORE ADAMS	Not for publication
No.	v.	
G031197	WENDY LEWIS et al.	

Opinion filed. Judgment reversed with directions.

Aronson, J.

We concur: Bedsworth, Acting P.J.
Ikola, J.

CIVIL	PROSPECT MEDICAL GROUP, INC.
No.	v.
G031410	ST. JUDE HOSPITAL, INC.
G031684	

Order filed. On the court's own motion and for good cause, submission in this matter is vacated for supplemental briefing. The court requests the appellant's and respondent's assistance with the following question, assuming arguendo the existence of an arbitration clause in which the principals have agreed that "errors of law or legal reasoning" are outside the scope of the arbitrator's authority and one party therefore seeks judicial review to vacate the award. Appellant's supplemental brief shall be filed within 30 days of the date of this order, respondent's brief no later than 20 days thereafter, and appellant's reply within 10 additional days, whereupon the matter will be resubmitted.

Bedsworth, Acting P.J.

CIVIL	ATEN RESEARCH, INC.	Not for publication
No.	v.	
G032383	LEE-SEN CHANG et al.	

Opinion filed. Appeal dismissed.

Sills, P.J.

We concur: Rylaarsdam, J.
O'Leary,

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 30, 2004 (Cont'd)**

CRIM No. G032404	THE PEOPLE v. DAVID MICHAEL LOVEJOY	Not for publication
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Opinion filed. Judgment affirmed.

Bedsworth, J

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL No. G032443	RICHARD COLEMAN v. ZENODATA CORPORATION	Not for publication
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Opinion filed. Order affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
O'Leary, J.

CIVIL No. G032476	MARK ROBERT LEWIS v. ELECTRONIC DATA SYSTEMS CORPORATION	Not for publication
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Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.
Aronson, J.

CIVIL No. G032651	TICOMP, INC., et al. v. GENERAL ELECTRIC CAPITAL CORP.	Not for publication
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Opinion filed. Appeal and cross-appeal dismissed.

Aronson, J.

We concur: Bedsworth, Acting P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 30, 2004 (Cont'd)**

CIVIL No. G033184	JUAN CASTILLO v. DOLLAR FINANCIAL GROUP	Not for publication
	Opinion filed. Judgment affirmed; petition denied.	
	We concur: Aronson, J. Ikola, J.	Bedsworth, Acting P.J.
CIVIL No. G033378	MARVIN CHAVEZ v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA	Not for publication
	Opinion filed. Petition denied.	
	We concur: Moore, J. Fybel, J.	O'Leary, Acting P.J.
CIVIL No. G033722	JOHN STEIDINGER v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA	Not for publication
	Opinion filed. Petition granted.	
	We concur: Sills, P.J. Moore, J.	O'Leary, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 30, 2004 (Cont'd)**

CIVIL No. G033764	CHARLES EDWARD GRANT, JR. v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA Opinion filed. Petition granted. We concur: Sills, P.J. Moore, J.	Not for publication O'Leary, J.
CIVIL No. G033896	RODNEY HEMINGWAY v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA Opinion filed. Petition granted. We concur: Sills, P.J. Moore, J.	Certified for publication O'Leary, J.
CIVIL No. G033945	STEVEN GAMBLE v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA Opinion filed. Petition granted. We concur: Sills, P.J. Moore, J.	Not for publication O'Leary, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 30, 2004 (Cont'd)**

CIVIL No. G033946	MARVIN GIL v. THE SUPERIOR COURT OF ORAGNE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA	Not for publication
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Opinion filed. Petition granted.

O'Leary, J.

We concur: Sills, P.J.
Moore, J.

CIVIL No. G033998	RAFAEL ECHEVERRIA RODRIGUEZ v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA	Not for publication
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Opinion filed. Petition granted.

O'Leary, J.

We concur: Sills, P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
October 1, 2004**

CRIM
No.
G033928

THE PEOPLE
v.
IAN ANDREWS YOUNG

Not for publication

Opinion filed. Judgment affirmed.

Ikola, J.

We concur: Aronson, Acting P.J.
Fybel, J.